

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No. 4306/2018

New Delhi, this the 24th day of July, 2019

Hon'ble Ms. Aradhana Johri, Member (A)

Jeet Singh
Malaria Inspector
Aged 62 years
Group "B"
S/o Har Lal
R/o 16284 Gali No.3
East Rohtas Nagar Shahdara
Delhi -32. Applicant

(By Advocate :Shri J.S. Mann)

Versus

1. The Commissioner (East DMC)
419, Udyog Sadan
Patpatganj Industrial Area
Delhi – 110 092.

2. Deputy Chief Accountant (East DMC)
419, Udyog Sadan
Patpatganj Industiral Area
Delhi – 110 092.. Respondents

(By Advocate :Ms. Sangita Rai with Shri Pradeep Singh
for EDMC)

ORDER (ORAL)

Heard Shri J.S. Mann, learned counsel for the applicant and
Ms. Sangita Rai, learned counsel for the respondents.

2. Respondents have admitted to the claims of the applicant and paid the retiral benefits of gratuity, GPF, CVP and leave encashment. However, other dues i.e. PCA, VII CPC Arrear, DA Arrear since 2013, LTC Arrear, 15 days pay with LTC arrear, Unpaid Medical Claim and ACP arrear since 2013 have not yet

been paid. Learned counsel for applicant has pointed out that the respondents are also liable to pay interest @ 12% on his dues, which is admitted by the learned counsel for respondents. She, however, pleaded that due to shortage of fund, the same could not be paid. She also stated that MCD follows the principle of seniority in the payment of dues, depending upon availability of fund. However she has not clarified as to what principle of seniority is followed by the respondents and when the dues of the applicant will be paid.

3. Respondents are directed to pay these dues of the applicant along with 12% per annum admissible rate of interest till the date of payment as per the seniority principle but in no case later than six months from the date of receipt of a certified copy of the order. Accordingly, the OA is disposed of. No costs.

**(Aradhana Johri)
Member (A)**

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